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April 21, 2016

**By ECF**

The Hon. Lorna G. Schofield, U.S.D.J.  
United States District Court,  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Kriss et al. v. Bayrock Group et al.*  
10 Civ. 3959 (LGS) (FM) ("Kriss I")

Dear Judge Schofield:

We write on behalf of our clients, Jody Kriss and Michael Chu'di Ejekam, Plaintiffs in the above-referenced matter. We will be filing a letter with Chief Magistrate Judge Maas later today or tomorrow concerning recent threatening correspondence from Defendant Felix Satter a/k/a Felix Sater, and possibly other defendants in this action, to Messrs. Kriss and Ejekam. The correspondence threatens to organize and/or file frivolous litigation against Messrs. Kriss and Ejekam for the sole purpose of either extorting them into voluntarily dismissing this action, or to exact revenge upon them for filing this action. We do not attach the correspondence at issue here as Your Honor has referred all matters relating to threats made by defendants to Judge Maas.

We write because we understand that the Order to Show Cause issued in this action on February 1, 2016 (ECF No. 269), which ordered the parties "to show cause why an order should not be issued forbidding Frederick Oberlander and Richard Lerner from filing any action in federal court that appends any of the Bayrock Documents or relies on information from the Bayrock Documents, and from filing any action in state court without appending the order restricting the filing in federal court" (the "OSC") has been submitted but not yet decided.

Plaintiffs have not taken a position on the OSC. However, Plaintiffs believe that the recent actions by Satter and possibly other defendants, involving the threat and/or filing of frivolous actions against Plaintiffs for improper purposes, are relevant to the OSC. The recent actions, particularly when viewed in the context of the involvement of the firm Beys Stein Mobargha & Berland LLP, which now represents Defendant Salvatore Lauria in this action, and

Satter (a/k/a Felix Sater) in the related action before Judge Cogan in the Eastern District of New York, in another frivolous action filed against Mr. Kriss in 2014, establishes that *Satter, and possibly other defendants, have unclean hands with respect to their requests for a filing injunction and other relief Messrs. Oberlander and Lerner.* We therefore seek an opportunity to address the Court concerning Defendants' threats and frivolous lawsuits against Messrs. Kriss and Ejekam in connection with the OSC with a 15-page filing. We are prepared to make such a filing by Friday, April 29, 2016.

Respectfully submitted,

/s/ J. Evan Shapiro

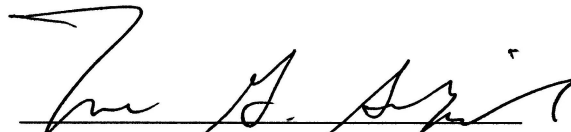
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Michael Chu'di Ejekam*

Application Denied. The proffered information is not relevant to the limited matters currently before Judge Schofield, as the case has been referred to Judge Maas for General Pretrial Supervision. To the extent criminal conduct is alleged, counsel is advised to raise it with the Criminal Division of the United States Attorney's Office.

Dated: April 22, 2016  
New York, New York



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LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE